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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 ALBERT C. SCHREIB,

11 Plaintiff,

12 v.

13 STATE FARM FIRE AND CASUALTY  
14 COMPANY,

15 Defendant.

CASE NO. C13-1606 MJP

ORDER ON MOTION FOR  
REMAND

16 This matter comes before the Court upon Plaintiff's Motion for Remand (Dkt. No. 8).  
17 Defendant's basis for removal was diversity jurisdiction pursuant to 28 U.S.C. § 1441 and 28  
18 U.S.C. § 1332, which requires the amount in controversy to exceed \$75,000. (See Dkt. No. 1.)  
19 The motion for remand is unopposed by Defendant as long as Plaintiff agrees to submit his claim  
20 to mandatory arbitration, wherein claims are limited to \$50,000 or less. (See Def.'s Resp., Dkt.  
21 No. 11; Dkt. No. 8 at 2–3.) Plaintiff represents to this Court that he intends to so limit his claims  
22 and submit the case to mandatory arbitration. (Pl.'s Reply, Dkt. No. 13.) Having reviewed the  
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1 papers filed in connection with this action, including Defendant's Notice of Removal (Dkt. No.  
2 1), the Court finds that remand is appropriate.

3 Because Defendant had an objectively reasonable basis for believing the amount in  
4 controversy to exceed \$75,000 (see Decl. of Vasudev N. Addanki, Dkt. No. 3 at 1, 5), despite  
5 Plaintiff's later disavowal of a claim in that amount, the Court declines to award fees or costs.  
6 See Martin v. Franklin Capital Corp., 546 U.S. 132, 141 (2005).

7 The Court therefore ORDERS that this matter is REMANDED to Snohomish County  
8 Superior Court. The Court declines to award fees or costs.

9 The clerk is ordered to provide copies of this order to all counsel.

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11 Dated this 5<sup>th</sup> day of November, 2013.

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13 Marsha J. Pechman  
14 United States District Judge  
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